

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

**JUDGMENT IN A CIVIL CASE**

Aero Express, Inc.

Plaintiff (s)

vs.

Gregg Elkins

Defendant (s)

Civil No. 05-0061-CV-W-DW

\_\_\_\_\_ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

\_\_\_\_\_ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

  **X**   **Decision by Court.** This action has come before the Court as a briefed matter and a decision has been rendered.

**ORDERED that :** the Plaintiff's Motion for Summary Judgment (Doc. 40) is **GRANTED.** Defendant's counterclaim is dismissed.

PATRICIA L. BRUNE, CLERK

Date: December 5, 2006

By: /s/ Y. Johnson  
Deputy Clerk